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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

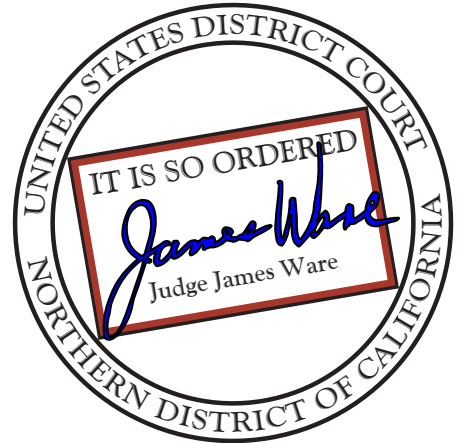
BRIAN F. GORDON, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

APPLE COMPUTER, INC., and, DOES 1
THROUGH 50, inclusive,

Defendant.



Case No. 5:06-cv-05358-JW

JOINT UPDATED CASE
MANAGEMENT STATEMENT ;
ORDER VACATING CONFERENCE

Date: September 24, 2007
Hon. James Ware

1 The parties in the above-referenced case submit this joint statement to notify the Court
2 that they have reached an agreement to settle this matter. The parties have begun the process of
3 preparing the settlement documentation and will file a Motion for Preliminary Approval on or
4 before November 15, 2007. The parties will notice the motion for hearing on an appropriate date
5 thereafter in accordance with Local Rule 7.2, unless the Court prefers alternative scheduling.

6 In light of the settlement of this matter, the parties request that the Case Management
7 Conference currently set for September 24, 2007, be taken off calendar.

8
9 Dated: September 7, 2007

PENELOPE A. PREOVOLOS
ANDREW D. MUHLBACH
JOHANNA W. ROBERTS
NATALIE NAUGLE
MORRISON & FOERSTER LLP

13 By: /s/ Penelope A. Preovolos
14 Penelope A. Preovolos

15 *Attorneys for Defendant*
APPLE COMPUTER, INC.

16 Dated: September 7, 2007

HELEN ZELDES
LAW OFFICES OF HELEN ZELDES

18 MEL E. LIFSHITZ
19 RONALD J. ARANOFF
20 SUSAN COLLYER
BERNSTEIN LIEBHARD & LIFSHITZ, LLP

21 By: /s/ Ronald J. Aranoff
22 Ronald J. Aranoff

23 *Attorneys for Plaintiff*
24 BRIAN F. GORDON

1 I, Penelope A. Preovolos, am the ECF user whose ID and password are being used to file
2 this Joint Updated Case Management Statement and Proposed Orders. In compliance with
3 General Order 45.X.B, I hereby attest that Ronald J. Aranoff has concurred in this filing.
4
5

6 Dated: September 7, 2007

PENELOPE A. PREVOLOS
ANDREW D. MUHLBACH
JOHANNA W. ROBERTS
NATALIE NAUGLE
MORRISON & FOERSTER LLP

10 By: /s/ Penelope A. Preovolos
11 Penelope A. Preovolos

12 *Attorneys for Defendant*
13 APPLE COMPUTER, INC.

14 ORDER

15 In light of the parties' notice of settlement and parties' intent to filing a Motion
16 for Preliminary Approval of Settlement in accordance with the Local Rules,
17 the Court VACATES the case management conference presently scheduled for
18 September 24, 2007.

19 Dated: September 10, 2007

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21 JAMES WARE
22 United States District Judge
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